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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,645	10/27/2003	Timothy M. Morris	03-634	4007

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BACHMAN & LAPOINTE, P.C.
900 CHAPEL STREET
SUITE 1201
NEW HAVEN, CT 06510

EXAMINER

DINH, TIEN QUANG

ART UNIT PAPER NUMBER

3644

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,645

Applicant(s)

MORRIS ET AL.

Examiner

Tien Dinh

Art Unit

3644

Handwritten signature

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-19, 28 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-27 and 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of group I, species A in the reply filed on 8/20/04 is acknowledged. The traversal is on the ground(s) that the restriction was defective. This is not found persuasive because the apparatus can be used to practice a materially different process.

The requirement is still deemed proper and is therefore made FINAL.

Claims 1-19 and 28-29 have withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species/group, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 8/20/04.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-25 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wojciehowski et al in view of Schafer et al.

Wojciehowski et al teaches a system for generating accessory power from a gas turbine engine that uses a pneumatically operated means 26 for receiving bleed air and controlled by a control valve 46 and for generating power to operate equipment onboard (see figure 1) on the aircraft but is silent on the means for monitoring which provides information about the change in

Art Unit: 3644

power demand. However, Schafer et al teaches that FADECs (which has feedback loops) are well known in the art to monitor and control elements in an engine system are well known in the art.

It would have been obvious to one skilled in the art at the time the invention was made to have used FADECs in Wojciehowski et al's system as taught by Schafer et al to safely and efficiently generate power to operate the aircraft equipments. RE claim 32, please note that due to the pneumatically operated means, there are inherent increases to an amount of stall margin available to a high pressure compressor of the engine.

Claims 26, 27, and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wojciehowski et al as modified by Schafer et al as applied to claim 20 above, and further in view of the admitted prior art on page 5, paragraph [0028].

Wojciehowski et al as modified by Schafer et al discloses all claimed parts except for the pneumatically integrated generators for supplying electrical or mechanical power. However, the admitted prior art on page 5, paragraph [0028] teaches that pneumatically integrated generators that supply electrical and mechanical powers are well known in the art.

It would have been obvious to one skilled in the art to have used additional pneumatically integrated generators in Wojciehowski et al's system as modified by Schafer et al and as taught by the admitted prior art on page 5, paragraph [0028] to generate power for other accessories. Please note that accessories such starter/generators, fuel pumps, etc. and gearboxes are well known in this day and age and one skilled in the art can used the pneumatically integrated generators to generate power to supply power to the accessories.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Glickstein, Grieb, Bayer et al, Coffinberry, Breit, Williams, and Munoz et al disclose engine systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tien Dinh whose telephone number is 703-308-2798. The examiner can normally be reached on 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 703-306-4198. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Tien Dinh